

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DIANE YARINA,	)	
	)	CASE NO. 1:22-cv-1831
Plaintiff,	)	
	)	
v.	)	JUDGE BRIDGET MEEHAN BRENNAN
	)	
COMMISSIONER OF	)	
SOCIAL SECURITY,	)	<b><u>OPINION AND ORDER</u></b>
	)	
Defendant.	)	

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge James E. Grimes Jr., recommending that the decision of the Commissioner of Social Security (“Commissioner”) denying the application of Plaintiff Diane Yarina (“Plaintiff”) for disability insurance benefits be affirmed. (Doc. No. 9.)

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C) (flush language).

The R&R was issued on July 6, 2023. Plaintiff is represented by counsel. No objection to the R&R has been filed, and the deadline has since passed. The failure to timely file written objections to a report and recommendation of a magistrate judge constitutes a waiver of *de novo* review by the district court. *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff’d*, 474 U.S. 140 (1985). The failure to file written objections also results in a waiver of the right to appeal. *Thomas*, 728 F.2d at 815.

The Court has reviewed the R&R and adopts the same. Accordingly, the final decision of the Commissioner of Social Security denying Plaintiff's application for disability insurance benefits is AFFIRMED. The case is dismissed.

**IT IS SO ORDERED.**

**Date:** October 5, 2023

A handwritten signature in black ink, appearing to read "Bridget M. Brennan", written over a horizontal line.

BRIDGET MEEHAN BRENNAN  
UNITED STATES DISTRICT JUDGE